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PTO/SB/21 (05-03) Approved for use through 04/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE perwork Reduction Act of 1995, no persons are required to respond t of information unless it displays a valid OMB control number Application Number 09/769.136 **TRANSMITTAL** Filing Date January 25, 2001 **FORM** First Named Inventor Spencer A. Rathus Art Unit (to be used for all correspondence after initial filing) 2876 Examiner Name Le, Thien Minh Attorney Docket Number 660-016 37 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Drawing(s) to Group Fee Transmittal Form Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to Group 1 Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) Terminal Disclaimer Identify below): Extension of Time Request 1. Return Receipt Postcard Request for Refund Express Abandonment Request 2. Response to Notice of No Amendment CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm John W. Oliyo, Jr., Esq. - Ward & Olivo Individual name Signature Date 23 200 CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Edward P. Bakos, Esq.		
Signature	5/ K	Date	6/23/03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer. U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

### PATENT

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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Spencer A. Rathus et al.

Serial No.: 09/769,136

Group Art Unit: 2876

Filed: January 25, 2001

Examiner: Le, Thien Minh

For: METHOD AND APPARATUS

Atty. Doc. No.: 660-016

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RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

S I R:

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In response to the June 11, 2003 Notice of Ron-Compliant Amendment in the above mentioned case, Applicants submit the following revised amendment listing all pending claims. No new matter has been added.

Respectfully submitted,

Date: 1/12 23 2003

John W. Olivo, Jr.

Reg. No. 35,634

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### PATENT

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## AMENDMENT

S I R:

In response to the February 28, 2003 Office Action in r**⊊**uest the above mentioned case, Applicants respectfully reconsideration in view of the following amendment remarks.

15 remarks.